IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

FRIDAY, THE 15TH JUNE 2007 / 25TH JYAISHTA 1929

OP.No. 91 of 1999(J)

PETITIONER:

THE GENERAL MANAGER, CORPORATE EDUCATIONAL AGENCY, ARCH DIOCESE OF VERAPOLY, ST.ALBERT'S H.S. CAMPUS, ERNAKULAM, KOCHI -18 REPRESENTED BY THE POWER OF ATTORNEY HOLDER FR.ALEX CHINGANTHARA.

BY ADV. SMT.A.B.MOLY

RESPONDENTS:
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1. STATE OF KERALA REPRESENTED BY THE SECRETARY TO GOVERNMENT, GENERAL EDUCATION, SECRETARIAT, THIRUVANANTHAPURAM.

2. THE DIRECTOR OF PUBLIC INSTRUCTION, THIRUVANANTHAPURAM.

3. THE MANAGER, CORORTAE EDUCATIONAL AGENCY, DIOCESE OF KOTTAPPURAM, KOTTAPPURAM.

4. MONICA SABEENA, H.S.A. (MATHS), ST.MARY'S H.S., PALLIPORT, ERNAKULAM DISTRICT.

5. PATSY C.A., CHENNUR HOUSE, PALLIPORT P.O., ERNAKULAM 683 315.

R1, R2 BY GOVT. PLEADER SMT.T.B.RAMANI
R4 BY ADV. SRI.P.V.SURENDRANATH
R5 BY ADV. SRI.M.V.BOSE

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 15/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON CMP NO.150 OF 1999 IN OP NO.91 OF 1999 J

//DISMISSED//

15.06.2007. SD/- THOTTATHIL B.RADHAKRISHNAN, JUDGE.

APPENDIX

PETIITONER'S EXHIBITS:

EXT.P1: TRUE COPY OF ORDER DATED 21.3.1990 OF THE 2ND RESPONDENT.

EXT.P2: TRUE COPY OF LETTER DATED 13.7.1994 OF THE 3RD RESPONDENT.

EXT.P3: TRUE COPY OF ORDER DATD 18.7.1997 OF THE 2ND RESPONDENT.

EXT.P4: TRUE COPY OF REVISION PETITION DATED 23.8.1997 SUBMITTED BY THE PETITIONER TO THE 1ST RESPONDENT.

EXT.P5: TRUE COPY OF G.O. DATED 13.11.1998.

/TRUE COPY/

THOTTATHIL B.RADHAKRISHNAN, J.

O.P.No.91 OF 1999

Dated this the 15th day of June, 2007

JUDGMENT

The petitioner is the Manager of a corporate educational agency. Respondents 4 and 5 are teachers under different schools of that management. The issues arose on bifurcation. By the impugned decision, the Government confirmed the views of the subordinate statutory authority regarding the accommodation of respondents 4 and 5. That impugned order dated 13.11.1988 stands stayed by this Court by order on C.M.P.No.150/99. With the passage of time, no useful purpose will be served in disturbing the status obtained by the said interim order, particularly because the teachers would have settled down in their respective seats on the basis of the interim orders. Even if it is a case of fresh appointment, the teacher in quesiton would have worked and gained emoluments following the aforesaid interim order. Therefore, I find no ground to disturb the status quo obtained as per the said order.

In the result, the writ petition is closed by directing that status quo as on today will have to be maintained, however, without treating this as a precedent for future guidance.

THOTTATHIL B.RADHAKRISHNAN
Judge

kkb.

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THOTTATHIL B. RADHAKRISHNAN, J

O.P.NO.91 OF 1999

JUDGMENT

15TH JUNE, 2007.

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